

ECF TRANSCRIPTION SHEET



ANDREW J. PECK
UNITED STATES MAGISTRATE JUDGE
UNITED STATES DISTRICT COURT
Southern District of New York
United States Courthouse
500 Pearl Street, Room 1370
New York, N.Y. 10007-1312

Fax No.: (212) 805-7933
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Dated: October 31, 2017

Total Number of Pages:

MEMO ENDORSED:

There is NO stay of discovery - parties & non-parties must respond. However, the more restricted version of the protective order will apply until Judge Keenan Rules.



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October 27, 2017

Honorable John F. Keenan
United States District Court
Southern District of New York
500 Pearl Street, Room 1930
New York, New York 10007-1312

10/31/17 MEMO ENDORSED

THERE IS NO STAY OF DISCOVERY -
PARTIES & NON-PARTIES MUST RESPOND.
HOWEVER, THE MORE RESTRICTED VERSION OF
THE PROTECTIVE ORDER WILL APPLY UNTIL
JUDGE PECK'S RULES.

SO ORDERED:

Hon. Andrew Jay Peck
United States Magistrate Judge

Re: *BSGR v. Soros, et al.*, Civil Action No. 1:17-cv-02726

Dear Judge Keenan:

We are counsel for Plaintiffs in the above-referenced action. We are scheduled to appear before Your Honor on November 7 for oral argument on Defendants' motion to dismiss.

We write to request that, in addition to the motion to dismiss, the Court also hold oral argument on the parties' pending objections to two orders of Judge Peck, if the Court is inclined to hold oral argument on those matters. Both parties have requested oral argument (Dkt. 86; Dkt. 96).

Plaintiffs make this request in large part because Defendants and third parties aligned with Defendants and alleged in the complaint to be controlled by them (i.e. Veracity Worldwide, DLA Piper (and one of their lawyers), and NRG/RWI), are using Defendants' objection to the protective order entered by Judge Peck (Dkt. 81) as a means to refuse to produce any documents at all in response to pending document requests and subpoenas. These third party entities have determined that they need not produce pursuant to the Protective Order entered by Judge Peck on August 24, 2017 unless and until Defendants' objection is decided by Your Honor. Plaintiffs have to date reserved their rights and awaited the scheduling of oral argument on the parties' objections. However, given that the current end date for discovery is December 1, 2017 and that Plaintiffs have yet to receive a single document although Plaintiffs have produced more than 8,500 pages of documents to Defendants, Plaintiffs are compelled to request that the objections be heard at the earliest possible time at the Court's convenience.

Accordingly, we respectfully request that, to the extent Your Honor is inclined to hold oral argument on the parties' objections to Judge Peck's rulings, oral argument on November 7, 2017 encompass the pending objections as well as the motion to dismiss or, in the alternative, that a date shortly thereafter be set for argument on the objections.

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Thank you for your consideration of this matter.

Respectfully,

A handwritten signature in black ink, appearing to read "Louis M. Solomon".

Louis M. Solomon

cc. Counsel of Record

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